

UTILITY PATENT APPLICATION TRANSMITTAL
(Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
SYS-P-1130; H0005216

Total Pages in this Submission
31

TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

Apparatus and Method for Dynamic Smoothing

and invented by:

Lee D. Tice

22002 U.S. PTO
10/619827
07/15703

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.:

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below
2. Specification having 14 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

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Application Elements (Continued)

3. Drawing(s) (when necessary as prescribed by 35 USC 113)
a. Formal Number of Sheets _____
b. Informal Number of Sheets 5

4. Oath or Declaration
a. Newly executed (original or copy) Unexecuted
b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
c. With Power of Attorney Without Power of Attorney
d. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5. Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)

7. Application Data Sheet (See 37 CFR 1.76)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all must be included)
a. Computer Readable Form (CRF)
b. Specification Sequence Listing on:
i. CD-ROM or CD-R (2 copies); or
ii. Paper
c. Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. Assignment Papers (cover sheet & document(s))

10. 37 CFR 3.73(B) Statement (when there is an assignee)

11. English Translation Document (if applicable)

12. Information Disclosure Statement/PTO-1449 Copies of IDS Citations

13. Preliminary Amendment

14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

15. Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. Certificate of Mailing
 First Class Express Mail (Specify Label No.): EV 337 101 796 US

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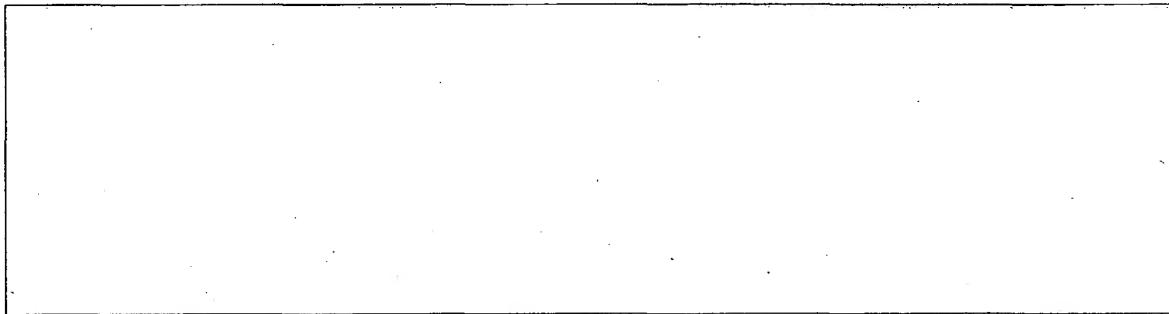
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Accompanying Application Parts (Continued)

17. Additional Enclosures (please identify below):



Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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Fee Calculation and Transmittal

CLAIMS AS FILED

| For | #Filed | #Allowed | #Extra | Rate | Fee |
|---|--------------------------|----------|--------|-------------------------|-------------------|
| Total Claims | 38 | - 20 = | 18 | x \$18.00 | \$324.00 |
| Indep. Claims | 5 | - 3 = | 2 | x \$84.00 | \$168.00 |
| Multiple Dependent Claims (check if applicable) | <input type="checkbox"/> | | | | \$0.00 |
| | | | | BASIC FEE | \$750.00 |
| OTHER FEE (specify purpose) | | | | | \$0.00 |
| | | | | TOTAL FILING FEE | \$1,242.00 |

A check in the amount of **\$1,242.00** to cover the filing fee is enclosed.
 The Director is hereby authorized to charge and credit Deposit Account No. 23-0920 as described below.

Charge the amount of _____ as filing fee.
 Credit any overpayment.
 Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Signature

Dated: **July 15, 2003**

cc:

Paul M. Vargo, Reg. No. 29,116
 Welsh & Katz, Ltd.
 120 South Riverside Plaza
 22nd Floor
 Chicago, Illinois 60606
 Ph. 312 655 1500, Ext. 401
 Fax 312 655 1501

CERTIFICATE OF MAILING BY EXPRESS MAIL

"Express Mail" Mailing Label Number EV 337 101 796 US

Date of Deposit: July 15, 2003

I hereby certify that this correspondence is being deposited with the United States Postal "Express Mail Post Office to Addressee" service under 37 CFR 1.10(c) on the date indicated above and is addressed to:

**Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

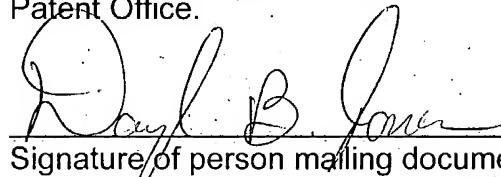
Applicant: Lee D. Tice
SYS-P-1130 - 8364/89837

Entitled: Apparatus and Method for Dynamic Smoothing

Serial No. New Application for Filing

Enclosed are the following documents:

Utility Patent Application Transmittal (Large Entity) (4 pages) with Check No. 082186 in the amount of \$1242.00 attached; patent application consisting of 8 pages of specification, 5 pages of claims (38 claims), 1 page of the Abstract of the Disclosure, 5 sheets of informal drawings, an executed Declaration and Power of Attorney (3 pages); Recordation Sheet - Patents only and a Two-Page Assignment with check No. 082185 for \$40.00 attached; Application Data Sheet (2 pages); and a self-addressed, postage-prepaid post card for receipt by the Mail Room of the United States Patent Office.



Signature of person mailing documents